

FIRST REGULAR SESSION
[P E R F E C T E D]
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 157
95TH GENERAL ASSEMBLY

Reported from the Committee on Health, Mental Health, Seniors and Families, February 18, 2009, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

Senate Committee Substitute adopted February 25, 2009.

Taken up February 25, 2009. Read 3rd time and placed upon its final passage; bill passed.

TERRY L. SPIELER, Secretary.

0935S.03P

AN ACT

To amend chapter 633, RSMo, by adding thereto one new section relating to autism as addressed by the division of developmental disabilities.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 633, RSMo, is amended by adding thereto one new
2 section, to be known as section 633.220, to read as follows:

**633.220. 1. For purposes of this section, the following terms shall
2 mean:**

3 (1) "Autism", a lifelong developmental disability that typically
4 appears during the first three years of life resulting from a
5 neurological disorder that affects brain functioning which interferes
6 with communication, learning, behavior, and social development;

7 (2) "Division", the division of developmental disabilities;

8 (3) "Family support", services and helping relationships for the
9 purpose of maintaining and enhancing family caregiving. Family
10 support may be any combination of services that enable individuals
11 with autism to reside within their family homes and remain integrated
12 within their communities. Family support services shall be:

13 (a) Based on individual and family needs;

14 (b) Easily accessible to the family;

15 (c) Family-centered and culturally sensitive;

16 (d) Flexible and varied to meet the changing needs of the family

17 members;

18 (e) Identified by the family; and

19 (f) Provided in a timely manner contingent upon the availability
20 of resources;

21 (4) "Service provider", a person or entity which provides and
22 receives reimbursement for autism programs and services as specified
23 in this section.

24 2. The division of developmental disabilities shall establish
25 programs and services for persons with autism. These programs and
26 services shall be established in conjunction with persons with autism
27 and with families of persons with autism. The division shall establish
28 such programs and services in conjunction with the regional parent
29 advisory councils and with the Missouri parent advisory committee on
30 autism. The programs and services shall be designed to enhance
31 families' abilities to meet needs they identify and shall:

32 (1) Develop skills for persons with autism through supports,
33 services, and teaching;

34 (2) Teach families to provide behavioral supports to members
35 with autism; and

36 (3) Provide needed family support.

37 3. The division director, with input from the Missouri parent
38 advisory council on autism, shall divide the state into at least five
39 regions and establish autism programs and services which are
40 responsive to the needs of persons with autism and families consistent
41 with contemporary and emerging best practices. The boundaries of
42 such regions, to the extent practicable, shall be contiguous with
43 relevant boundaries of political subdivisions and health service areas.

44 4. The regional projects may provide or purchase, but shall not
45 be limited to the following services in addition to other contemporary
46 and emerging based practices:

47 (1) Assessment;

48 (2) Advocacy training;

49 (3) Behavior management training and supports;

50 (4) Communication and language therapy;

51 (5) Consultation on individualized education and habilitation
52 plans;

53 (6) Crisis intervention;

- 54 (7) Information and referral assistance;
- 55 (8) Life skills;
- 56 (9) Music therapy;
- 57 (10) Occupational therapy, sensory integration therapy, and
- 58 consultation;
- 59 (11) Parent or caregiver therapy;
- 60 (12) Public education and information dissemination;
- 61 (13) Respite care; and
- 62 (14) Staff training.

63 5. Each regional project shall have a regional parent advisory
64 council composed of persons with autism and persons that have family
65 members with autism, including family members that are young
66 children, school-age children, and adults, and who have met the
67 division's eligibility requirements to be a client as defined under
68 section 630.005, RSMo. Members of a regional parent advisory council
69 shall be Missouri residents. No member shall be a service provider, a
70 member of a service provider's board of directors, or an employee of a
71 service provider or the division.

72 6. The responsibilities of each regional parent advisory council
73 shall include, but not be limited to, the following:

- 74 (1) Advocacy;
- 75 (2) Contract monitoring;
- 76 (3) Review of annual audits of projects by the department of
- 77 mental health;
- 78 (4) Recommendation of services to be provided based on input
- 79 from families;
- 80 (5) Recommendation of policy, budget, and service priorities;
- 81 (6) Monthly review of service delivery;
- 82 (7) Planning;
- 83 (8) Public education and awareness;
- 84 (9) Recommendation of service providers to the division for
- 85 administration of the project; and
- 86 (10) Recommendation of contract cancellation.

87 7. The division shall establish the Missouri parent advisory
88 committee on autism. The committee shall be appointed by the division
89 director. A chair of the committee shall be selected by members of the
90 committee. It shall be composed of:

91 (1) Two representatives and one alternate from each of the
92 regional parent advisory committees established in subsection 3 of this
93 section;

94 (2) One person with autism and his or her alternate.

95 8. The division director shall make every effort to appoint
96 members nominated by the regional parent advisory councils. The
97 membership should represent the cultural diversity of the state and
98 represent persons with autism of all ages and capabilities.

99 9. The responsibilities of the Missouri parent advisory committee
100 on autism shall include, but not be limited to, the following:

101 (1) Serve as a liaison with the regional parent advisory councils
102 and provide current information to them and the persons and families
103 they serve;

104 (2) Determine project outcomes for autism services;

105 (3) Plan and sponsor statewide activities;

106 (4) Recommend service providers to the division director in the
107 event a regional parent advisory committee and the district
108 administrator cannot reach consensus; and

109 (5) Provide an annual report to the Missouri commission on
110 autism spectrum disorders, the governor, the director of the
111 department of mental health, and director of the division of
112 developmental disabilities.

113 10. The director of the department of mental health shall
114 promulgate rules and regulations to implement this section. Any rule
115 or portion of a rule, as that term is defined in section 536.010, RSMo,
116 that is created under the authority delegated in this section shall
117 become effective only if it complies with and is subject to all of the
118 provisions of chapter 536, RSMo, and, if applicable, section 536.028,
119 RSMo. This section and chapter 536, RSMo, are nonseverable and if any
120 of the powers vested with the general assembly pursuant to chapter
121 536, RSMo, to review, to delay the effective date, or to disapprove and
122 annul a rule are subsequently held unconstitutional, then the grant of
123 rulemaking authority and any rule proposed or adopted after August
124 28, 2009, shall be invalid and void.